



OGC 84-50089

6 March 1984

MEMORANDUM FOR: Deputy Director  
Office of Legislative Liaison

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FROM:

[Redacted]  
C/L&LD/OGC

SUBJECT: Introduction of H.R. 4696, an Amendment to  
the Privacy Act of 1984

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REFERENCE: Memorandum for: See Distribution, from [Redacted]  
[Redacted] dated 29 Feb 1984 (OLL 84-0787)

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1. The reference requested comments on H.R. 4696, introduced by Representative Glenn English (D., OK). As you note, this bill is intended to codify the holding of Greentree v. United States Customs Service, 674 F.2d 74 (D.C. Cir. 1982), thereby precluding assertion of the Privacy Act as an FOIA exemption (b)(3) withholding statute.

2. The Department of Justice recently petitioned the Supreme Court for certiorari in United States Department of Justice v. Provenzano (No. 83-1045, filed December 23, 1983), arguing that the Privacy Act is an exemption (b)(3) statute. This Office fully supports the Department's strong opposition to Rep. English's bill which, if passed, would nullify the arguments raised in Provenzano. We would suggest that the Agency's response to OMB be along the same lines.

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